

Zoning Hearing Board
Lower Saucon Township
Town Hall
February 24, 2025

MINUTES

The meeting was called to order at 7:00 p.m. by Chairman Keith Easley.

Roll Call

Present at the meeting were Chairman Keith Easley, Vice-Chairman Gregory Carolan, Secretary David Jauregu, and Board Members Jeffrey Gorczynski and Kevin McGovern. The Solicitor, George A. Heitzman, was also present.

Reorganization

Mr. Jauregui moved to nominate Keith Easley as Chairman. The motion was seconded by Mr. Gorczynski and passed by a vote of 5 to 0. Mr. Eichenlaub moved to nominate Gregory Carolan as Vice-Chairman. The motion was seconded by Mr. Gorczynski and passed by a vote of 5 to 0. Mr. Jauregu moved to nominate Mr. Gorczynski as Secretary. The motion was seconded by Mr. Easley and passed by a vote of 5 to 0. Mr. Easley moved to appoint George A. Heitzman, Esq. as the Solicitor. The motion was seconded by Mr. Jauregui and passed by a vote of 5 to 0. Mr. Easley moved to maintain the same schedule of meetings of the

Board; that is, the 4th Monday of each month when there is business to transact, except May and December when the meetings will be held on the 3rd Monday of the month, all meetings to begin at 7:00 pm on the day of the meeting. The motion was seconded by Mr. Gorczynski and passed by a vote of 5 to 0.

Minutes

The Board had before it for approval the minutes of the meeting of December 16, 2024. Mr. Easley moved to accept the minutes as submitted. The motion was seconded by Mr. Gorczynski and passed by a vote of 5 to 0.

Bills

The Board had before it for approval a bill from the Express Times for advertising the meeting of December 16, 2024, the stenographer's invoice for the month of December 2024, and the Solicitor's invoice for the month of December 2023. Mr. Easley moved to pay the bills as submitted. The motion was seconded by Mr. Jauregui and passed by a vote of 5 to 0.

Hearings

Saucon Valley School District Variance-VAR 01-25-Fastsigns of Easton-2100 Polk Valley Road-exp. 03/25/25

Saucon Valley School District is requesting two variances:

§180-100.8D(1)(c) Signs in Residential Districts

Requesting relief to allow for an increase from 1 electronic sign to 2 electronic signs.

180-100.8D(1)(d) Signs in Residential Districts

Requesting relief to allow for an increase in the allowable height of a freestanding sign from 6' maximum to 8'. Relief of 2' is requested.

The property is located in an R12 zoning district.

Zoning Officer Tyler Mitch was sworn and testified that on February 19, 2025, Township Council passed a motion to support this request for a variance and agreed to waive any applicable fees.

Mr. Michael Woodland was sworn and testified that he represents FASTSIGNS of Easton which was hired by the school district to add an additional sign on the school premises. He noted that the sign will meet the setback requirements so as to ensure an unobstructed sight triangle. The reason for the request for another sign is because there is a significant distance from the existing sign, and the sign is used to communicate effectively to the public any emergency announcements and community events. The request for an additional 4' in height is to ensure visibility and to provide access underneath the sign for snow plowing.

There was no one in the audience who wished to be heard concerning the matter. Mr. McGovern moved, seconded by Mr. Jauregui, to grant the requested variances and the motion passed by a vote of 5 to 0.

Russo Variance-VAR 02-25–Nicholas & Andrew Russo-3750 Old Philadelphia Pike-exp. 03/25/25

Tyler Mitch, the Zoning Officer, having been previously sworn, testified that Applicant is requesting a use variance to allow for the conversion of an existing tavern establishment into garden apartments within a Village Center zoning district in which this use is not permitted.

Applicant, Nicholas Russo and Andrew Russo, are the owners of property located at 3750 Old Philadelphia Pike, Bethlehem, PA 18015. The property currently contains a building that previously operated as a tavern known as the Belmont Inne. The building on the property comprises 3 stories, contains 3,600 ft.², and has 11 parking spaces with an additional 7 parking spaces leased out on the other half of the macadam parking lot. The building was most recently operated as a tavern on all 3 floors.

Mr. Mitch noted that as referenced in Applicant's amended narrative submitted February 6, 2025, while the proposed project requires a use variance from the Ordinance, there are a series of requirements that are demonstrated in §180–117A for this proposed use. From the review conducted by the zoning office it appears that there will be multiple issues that will need to be addressed in regard to these requirements. These issues are as follows:

- §180–117A(1)(c) – Buffer yards are required around the perimeter of the site, except in the required front yard.
- §180–117A(1)(d) - 15% of the gross area of the development

shall be provided and maintained as open space/recreation area, in addition to the recreation area required by Chapter 145, Subdivision and Land Development.

- §180–117A(1)(g) No single garden apartment structure shall be closer than 40' to any other structure, except that accessory parking lots or parking garages shall be no closer than 15' to a single garden apartment structure.
- §180-117A(1)(h)-Minimum landscape stock
 - [1] - Garden apartment structures shall be landscaped with minimum landscape stock of 1 deciduous tree and 3 shrubs per dwelling unit.
 - [2] - All stock is to be a nurse Freeman quality and in accordance with chapter 145, subdivision and land development.
- §180–117-Lot requirements
 - (a) – Area: minimum 3 acres
 - (b) – Width: minimum 200'
 - (c) - Impervious coverage-maximum 35%

These regulations would all need variances in order for the project to be permitted.

Solicitor Heitzman brought to the attention of the Board a letter he had received dated February 21, 2025, from the Township Solicitor, Attorney Goudsouzian, which stated that on February 19, 2025, Township Council passed a motion to support this request for a

variance.

Attorney Erich J. Schock appeared representing Applicant.

Attorney Schock began by telling the Board that he represents the owners of the Belmont Inne which had been used for many years as a restaurant, and had historical significance in that it was built in 1850 and opened in 1870. It had been a trolley stop in the 1940s and 1950s, and prior to Route 378 being built, Old Philadelphia Pike was the main road. Once Route 378 was installed Old Philadelphia Pike was no longer a major road.

Attorney Schock told the Board that the property can no longer be marketed as a restaurant because it is not commercially feasible to do so.

Attorney Schock stated that what his clients wanted to do was to save the old structure with no change on the outside, but convert the inside to 4 apartment units. Unfortunately, such a use is not permitted in the Village Center district.

Applicant considered combining a commercial use on the first floor with apartments on other floors, but this did not appear to be the best use of the property. He noted that as the Zoning Officer had stated, in order to proceed they would need not only the granting of a change in use, but also a number of other variances in order to conform as best they could to the garden apartment standard in the Township.

Gino Russo was sworn and testified that his children own the property. He operated a restaurant in the property for about 11 years beginning in April 2014. It is no longer viable as a restaurant. The kitchen is on the first floor and although there are three floors, food

would have to be carried to a second and third floor. He is trying to market it as a restaurant and has had no success. He identified the area where the Inne exists as primarily a residential area, and noted that the requested use would conform to the residential nature of the neighborhood. There is a restaurant, Yanni's, a short distance up the street from the property.

Mr. Russo identified Exhibit A-1 as the writing setting forth the permission given to him by the owners to proceed on their behalf. He identified Exhibit A-2 as a current photograph of the property, and he identified Exhibit A-3 as an aerial representation of the property.

Mr. Russo stated that the rear yard comprised a macadam parking lot. This would have to be torn up in order to provide landscaping required for garden apartments. Attorney Schock went through with his client the various garden apartment requirements and explained why it was not feasible or practical to meet them, especially as the original structure was to be maintained.

There was no one in the audience who wished to be heard concerning the matter.

Mr. Gorczynski moved, seconded by Mr. Carolyn, to approve the change in use that was requested, and also granted variances as to all of the sections of the Ordinance identified by the Zoning Officer in order to permit the structure to remain intact. The motion passed by a vote of 5 0.

Eichman Variance-VAR 03-25-Paul & Katherine Eichman-1990

Sunderland Drive-exp. 03/28/25

Tyler Mitch, the Zoning Officer, having been duly sworn, testified that Applicant owns land located in an R40 zoning district and would like to erect a garage on the property which does not meet the current zoning requirements. Two variances are requested:

180-35 Yard requirements

Requesting relief from this section of the Ordinance to allow a decrease from the required 30' side yard setback to 18.2' to install a new detached garage. Relief 11.8' is requested.

180-127,3 Impervious and building coverage charts

Requesting relief from this section of the ordinance to allow an increase in the maximum 15% impervious coverage limit to 20.64% impervious coverage to install a new detached garage, in-ground swimming pool, and concrete decking. Relief of 5.64% of the impervious coverage requirement is requested. The property is currently existing at 15.80% impervious coverage.

Solicitor Heitzman brought to the attention of the Board a letter he had received dated February 21, 2025, from the Township Solicitor, Attorney Goudsouzian, which stated that on February 19, 2025, Township Council passed a motion to take no position on this request for a variance.

Attorney James Preston appeared on behalf of Applicant.

Attorney Preston stated that he had taken a deep dive into the Zoning Ordinance that day and realized that one of the variances he had

requested he did not need: the variance s to the impervious cover. The impervious cover listed in the Zoning Ordinance is currently 15%. However, the impervious cover had previously been 25% in R40 zoning districts. At the time the Ordinance was changed, provision was made for lots that had been established previously to retain the 25% coverage limit. Attorney Preston introduced copies of deeds pertaining to his clients' property, and also introduced the minutes of the Township Council meeting of July 7, 2010, at which the Zoning Ordinance was changed. He asked that the Board confirm this to be true.

As to the remaining variance request to narrow the sideyard, Mr. Eichman was sworn and testified that the placement of the garage was chosen so that it will line up with the current driveway. This would allow the driveway to not have to be extended, and also took into account the location of the drainage field

In response to a question from the Board, Mr. Eichman testified that his neighbor, whose property adjoins his on the affected side, has no objection to what he is doing, and even stated he would come to a Board meeting if that were required. The accessory structure he plans to build is a permitted use, and will be used as a changing area for the pool and a storage area, and in the future to store vehicles.

There was no one in the audience who wished to be heard concerning the matter.

After discussion, Mr. Carolan moved, seconded by Mr. McGovern, to confirm that the impervious cover limit for the subject property is 25%, and hence no variance is needed as to this requirement.

The motion passed by a vote of 5 to 0. Mr. Gorczynski moved, seconded by Mr. Jauregu, to grant the variance from the sideyard requirement of §180-35. The motion passed by a vote of 5 to 0.

Old Business

There was no old business.

New Business

There was no new business.

Adjournment

There being no further business before the Board, Mr. Easley moved, seconded by Mr. Jauregui, to adjourn the meeting. The motion passed by a vote of 5 to 0 and the meeting adjourned at 8:00 p.m.

Respectfully submitted,



George A. Heitzman
Solicitor